

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiff,

v.

DAVID MONARREZ,

Defendant.

8:22CR221

**PRELIMINARY ORDER
OF FORFEITURE**

This matter is before the Court upon the government's Motion for Preliminary Order of Forfeiture (Filing No. 88). The Court has carefully reviewed the record in this case and finds as follows:

1. On October 19, 2023, the Court held a change of plea hearing and David Monarrez ("Monarrez") entered a plea of guilty to Count I and admitted to the Forfeiture Allegation of the Indictment (Filing No. 1). Count I charged defendant with conspiracy to distribute and possession with intent to distribute methamphetamine, in violation of 21 U.S.C. § 846.

2. The Forfeiture Allegation sought forfeiture, pursuant to 21 U.S.C. § 853, of the following property, on the basis it was (a) used to facilitate the offense charged in the Indictment, or (b) derived from proceeds obtained directly or indirectly as a result of the commission of the offense charged in the Indictment:

- a. \$37,250.00 United States currency seized from Monarrez, a/k/a "Spooky," and Daniel Gonzalez-Jimenez, on August 31, 2022;
- b. \$14,425.00 United States currency seized from Monarrez, a/k/a "Spooky," and Daniel Gonzalez-Jimenez, on August 31, 2022; and
- c. A 2014 Chevrolet Silverado, VIN: 3GCUKSEC4EG559886.

3. Based on Monarrez's guilty plea and admission, Monarrez forfeits his interest in the above-described property and the government is entitled to possession of any interest Monarrez has in this property pursuant to 21 U.S.C. § 853.
4. The government's Motion for Preliminary Order of Forfeiture is granted.

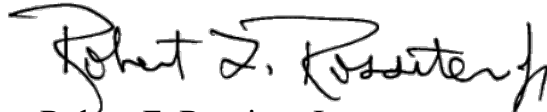
IT IS ORDERED:

1. The government's Motion for Preliminary Order of Forfeiture (Filing No. 88) is granted.
2. Based upon the Forfeiture Allegation of the Indictment and Monarrez's guilty plea and admission, the government is hereby authorized to seize the above-described property.
3. Monarrez's interest in the above-described property is hereby forfeited to the government for disposition in accordance with the law, subject to the provisions of 21 U.S.C. § 853(n)(1).
4. The above-described property is to be held by the government in its secure custody and control.
5. Pursuant to 21 U.S.C. § 853(n)(1), the government shall publish for at least thirty consecutive days on an official internet government forfeiture site, www.forfeiture.gov, notice of this Preliminary Order of Forfeiture, notice of publication evidencing the government's intent to dispose of the above-described property in such manner as the Attorney General may direct, and notice that any person, other than Monarrez, having or claiming a legal interest in any of the subject property must file a Petition with the Court within thirty days of the final publication of notice or of receipt of actual notice, whichever is earlier.
6. The published notice shall state the Petition referred to in Paragraph 5, above, shall be for a hearing to adjudicate the validity of the Petitioner's interest in the above-described property, shall be signed by the Petitioner under penalty of perjury, and shall set forth the nature and extent of the Petitioner's right, title, or interest in the property and any additional facts supporting the Petitioner's claim and the relief sought.

7. The government may also, to the extent practicable, provide direct written notice to any person known to have an interest in the above-described property as a substitute for published notice as to those persons so notified.
8. Upon adjudication of all third-party interests, this Court will enter a Final Order of Forfeiture pursuant to 21 U.S.C. § 853(n), in which all interests will be addressed.

Dated this 25th day of October 2023.

BY THE COURT:

A handwritten signature in black ink, appearing to read "Robert F. Rossiter, Jr.", with a stylized flourish at the end.

Robert F. Rossiter, Jr.
Chief United States District Judge